

smith & hopen, p.a.

15950 Bay Vista Drive, Suite 220

Clearwater, Florida 33760

727.507.8558 Tel

727.507.8668 Fax

www.baypatents.com

RECEIVED
CENTRAL FAX CENTER

OCT 22 2004

Fox

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Joseph P. Hirt - Art Unit 2121	Client:	1372.61.PRWOUS
Fax:	(703)746-7239	Pages:	4 including coversheet
Phone:	(571) 272-3685	Date:	October 22, 2004
Re:	USSN 09/940,878	CC:	University of South Florida (Assignee)

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Hirt:

In response to the non-final office action mailed September 27, 2004, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 22, 2004 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Anton J. Hopen
Reg. No. 41,849

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

Practitioner's Docket No. 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis)

Serial No.: 09/940,878)

Filed: 08/29/2001)

For: Methods for Classifying Objects and
Identifying Latent Classes)

Art Unit: 2121

Examiner: Joseph P. Hirl

Confirmation: 5633

Faxed to Technology Center 2100 at (703) 746-7239
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER

OCT 22 2004

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.


SIGNATURE OF PRACTITIONER

Anton J. Hopen
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760
(727) 507-8558


Reg. No.: 41,849
Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2100, Attn: Joseph P. Hirl, (703) 746-7239 on October 22, 2004.

Dated: October 22, 2004


Charlene Morgan

(Amendment Transmittal—page 1)

Practitioner's Docket No.: 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis)

Serial No.: 09/940,878)

Filed: 08/29/2001)

For: Method for Classifying Objects and
Identifying Latent Classes)

Art Unit: 2121

Examiner: Joseph P. Hirl

Confirmation: 5633

Faxed to Technology Center 2100 at (703) 746-7239
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER

OCT 22 2004

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed September 27, 2004, having a shortened statutory period for response set to expire October 27, 2004 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute claims 21-36, drawn to molecular biology processes, classified in class 435, subclass 4. The claims readable thereon are claims 21-36. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

By: 

Anton J. Hopen
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

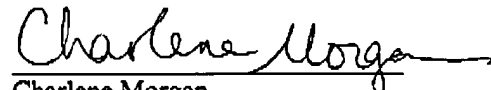
Dated: October 22, 2004

pc: University of South Florida (Assignee)

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2100, Attn: Joseph P. Hirl, (703) 746-7239 on October 22, 2004.

Dated: October 22, 2004


Charlene Morgan